

No. 9063-4Lab-74/32500.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the management of M/s Avon Scale Company, Sonapat.

BEFORE SHRI O. P. SHARMA, PRESIDING OFFICER, LABOUR COURT, HARYANA
ROHTAK

Reference No. 31 of 1974

Between

SHRI DAYA NAND AND THE MANAGEMENT OF M/S AVON SCALE COMPANY.
SONEPAT

Present :—

Shri M. S. Rathi, for the workman.

Nemo, for the management.

AWARD

By order No. ID/RK/27-A-74/11496-500, dated 2nd May, 1974, of the Governor of Haryana, the following dispute between the management of M/s Avon Scale Company, Sonapat and its workman Shri Daya Nand was referred for adjudication to this Court in exercise of the powers conferred by clause (c) of sub-section (i) of section 10 of the Industrial Disputes Act, 1947.

“Whether the termination of services of Shri Daya Nand was justified and in order? If not, to what relief is he entitled?”

On receipt of the order of reference, usual notices were given to the parties. The management has filed settlement dated 9th September, 1974 signed by the workman wherein he has admitted in clear words that he has settled the dispute with the management and his case may, therefore, be filed. Notice of the settlement was given to the workman concerned to admit or deny the same. He has not come forward in spite of service. His authorised representative Shri M. S. Rathi has also elected not to put his appearance.

In the circumstances, the presumption is irrebutable that the workman concerned has actually settled his dispute with the management, as per settlement dated 9th September, 1974 signed by him and for that reason he is not coming forward to pursue the same.

In the circumstances, no proceedings are called for and a no dispute award is given in view of the aforesaid settlement arrived at between the parties. There shall be no order as to costs.

Dated 26th September, 1974.

O. P. SHARMA,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

Edorsement No. 2388, dated 27th September, 1974.

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

O. P. SHARMA,
Presiding Officer,
Labour Court, Haryana,
Rohtak.